



PATENT
ATTORNEY DOCKET
79708

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: **Laye et al.**

Confirmation No. **4443**

Appln No.: **10/694,960**

CERTIFICATE OF MAILING

Filed: **28 October 2003**

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Mail Stop **AMENDMENT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

Title: **PROCESS CHEESE
CONTAINING INCREASED
LEVELS OF WHEY
PROTEIN**

6/28/04
Date

Donna E. Becker
Donna E. Becker
Registration No. 44,529
Attorney for Applicant(s)

Group
Art Unit: **1761**

Examiner: **Cano, Milton**

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop **AMENDMENT**
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is being filed in response to the Notice of Non-Compliant Amendment mailed on 2 June 2004. Applicants respectfully request reconsideration of the above-identified application in view of the present Amendment. Pursuant to 37 C.F.R. § 1.121 (h), the Amendment sections begin on separate sheets as follows:

Amendments to the Claims begin on page 2.

Remarks begin on page 5.



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEAppln No.: **10/694,960**Confirmation No. **4443**Filed: **October 28, 2003**Applicant(s): **Laye et al.**Title: **PROCESS CHEESE CONTAINING
INCREASED LEVELS OF WHEY
PROTEIN**Art Unit: **1761**Examiner: **Milton Cano**Attorney Docket No.: **79708**Customer No.: **22242****CERTIFICATE OF MAILING**

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6/28/04
DateDonna E. Becker
Donna E. Becker
Registration No. 44,529
Attorney for Applicant(s)

Mail Stop **AMENDMENT**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment/reply in the above-identified application.

- ☐ An Appendix including amended drawing figures labeled as "Annotated Marked-up Drawings" is enclosed.
- ☒ No additional fee is required.

Fee Calculation For Claims As Amended

	As Amended		Previously Paid For		Present Extra	Rate	Additional Fee
Independent Claims	<u>2</u>	-	<u>2</u>	** =	<u>0</u>	x \$ 86.00	= \$ <u>0.00</u>
Total Claims	<u>12</u>	-	<u>20</u>	* =	<u>0</u>	x \$ 18.00	= \$ <u>0.00</u>
Fee for Multiply Dependent Claims						\$ 290.00	
** At least 3					Total Additional Fee		\$ <u>0.00</u>
* At least 20							

- ☐ Applicant(s) assert entitlement to Small Entity Status (37 C.F.R. § 1.27), thus reducing the fee by half to:

\$ 0.00

- ☐ A check in the amount of \$ _____ is enclosed.

Application No. 10/694,960
Amendment dated 6/28/04
Reply to Office Action of 6/2/04

☐ Charge \$_____ to Deposit Account No. 06-1135.

☒ The Director is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.161.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Director is authorized to charge the unpaid amount to Deposit Account No. 06-1135. A duplicate copy of this sheet is enclosed.

6/28/04

Date

Donna E. Becker
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